HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

-

Writ Petition No. 8083 of 2004

-

Dated: 1st September, 2005

Between:

1. Smt.Swayamprada W/o.K.C.Venkatesh,

R/o.18/2, 18th Cross Road, Sadashivnagar, Bangalore,

rep. by her G.P.A. Y.Achyuth Reddy, S/o.Dr.Y.R.Reddy,

R/o.8-2-293/82/B/55/1, Banjara Hills, Hyderabad

and others.

..... PETITIONERS

AND

1.State of Andhra Pradesh, rep. by the Secretary to Government,

Minorities Welfare (Wakf I Department), Secretariat, Hyderabad

and others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 8083 of 2004

ORDER:

This writ petition has been filed by the petitioners, who are four in number, with a prayer to issue a writ, order or direction in the nature of Mandamus declaring the impugned G.O.Ms.No.44 Minorities Welfare (Wakf.I) Department, dated 27.12.2003 as illegal, arbitrary and unenforceable and consequently declare the action of the

Municipal Corporation of Hyderabad-2nd respondent in refusing the building permission to the petitioners on account of the said G.O. as illegal and arbitrary.

2. An interim order came to be passed on 28.04.2004 directing the respondents to consider the building permission afresh. It appears the Municipality has considered the application and released the building permission. It is also brought to my notice that the Government issued Section 4(1) Notification in respect of other lands. So far as the lands of the writ petitioners are concerned, no notification has been issued. Such is the situation, the cause of action for filing the writ petition does not survive.

3. Accordingly, the writ petition is dismissed as infructuous. No costs.

_____

B.SESHASAYANA REDDY, J.

Dated: 1st September, 2005.

cs